

## **REMARKS**

By the present Amendment, claims 1-11 are cancelled, claims 12-25 are added. This leaves claims 12-25 pending in the application, with claim 12 being independent.

### **Substitute Specification**

The specification is revised to eliminate grammatical and idiomatic errors in the originally presented specification, and to avoid the objections to the Abstract of the Disclosure. The number and nature of the changes made in the specification would render it difficult to consider the case and to arrange the papers for printing or copying. Thus, the substitute specification will facilitate processing of the application. The substitute specification includes no “new matter”. Pursuant to M.P.E.P. § 608.01(q), voluntarily filed, substitute specifications under these circumstances should normally be accepted. A marked-up copy of the original specification is appended hereto.

### **Objection to Drawings**

The drawings are objected to under 37 C.F.R. § 1.83(a) for failing to illustrate the lighting fixture recited in original claim 11. Submitted herewith is a replacement sheet for sheet 1 of the original drawings graphically showing a light fixture 70 in Fig. 1a. Fig. 1a is also modified to add “1” and the respective lead line.

With the replacement sheet, the drawings comply with 37 C.F.R. § 1.83(a).

### Rejections under 35 U.S.C. §102 and §103

New claim 12 covers a seat comprising a backrest and a headrest 1 adjustable in height and tilt relative to the backrest. The headrest includes a front surface facing the occupant of the seat and a rear surface facing away from the seat occupant. A pivot axis 28 provides tilt adjustment of the headrest and is mounted on a guide component, which guide component is mounted on the rear surface and extends away from the front surface. The guide component and the pivot axis are mounted so as to be stationary relative to the backrest. A longitudinal guide 13 is mounted on the rear surface and is displaceably engageable with the guide component for height adjustment. The longitudinal guide is an integral component of the headrest with the longitudinal guide and the guide component being mounted between the pivot axis and the rear surface.

By forming the longitudinal guide for height adjustment on the headrest rear surface and making the pivot axis stationary on the backrest, a simple, low cost and effective mechanism is provided for adjusting the height and tilt of the headrest. No slots necessary in the backrest padding which would adversely effect the occupant's comfort. Additionally, the attachment and removal of the headrest from the backrest is facilitated.

Original claims 1-6 and 8 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 394,291 to Hooven. No specific comments are provided comprising the Hooven structure and the claim limitations.

Although the Hooven patent is alleged to teach the structure as claimed, the Hooven headrest E is pivotally mounted by ball F on a slide D that moves relative to the backrest within a casing A clamped to the backrest. In this manner, the pivot is movable, not stationary, relative to

the backrest. Additionally, the height adjustment (casing A and slide D) is above the backrest, not mounted between the pivoted shaft and the headrest, as recited in claim 12. Further, the Hooven longitudinal guide (casing A) is on the backrest, not the head rest, as claimed.

Original claims 1-3 and 8 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 2,638,152 to Pulsifier. The Pulsifier headrest is alleged to meet the claims, without any specific comparison being provided.

However, the Pulsifier patent is deficient for the same reasons advanced above in connection with the Hooven patent in having a pivot (provided by bolt 15) movable relative to the backrest, not a stationary pivot relative to the backrest. Additionally, the Pulsifier height adjustment 25 is between the backrest and pivot bolt 15, not located between the pivot bolt 15 and the headrest 11, as claimed. Further, the Pulsifier longitudinal guide is on the backrest, not the headrest, as claimed.

Accordingly, claim 12 is not anticipated or rendered obvious by the Hooven or Pulsifier patent. None of the other cited patents cure these deficiencies in the Hooven and Pulsifier patents.

Claims 13-25, being dependent upon claim 12, are also allowable for the above reasons. Moreover, these claims recite additional features further distinguishing them over the cited patents. Specifically, these claims are further distinguished by the catch positioning mechanism of claims 13 and 14, the energy accumulator of claims 15-18, the base and side components of claims 19, 22-25, the padding of claim 24, and the light fixture of claim 25, particularly within the overall claimed combination.

As to the Pulsifier patent, no catch mechanism is provided to meet the limitations of claim 13.

Neither the Hooven nor the Pulsifier patent has a prestressed catch component as claimed. No prestressed or biasing element is provided in the Pulsifier patent to provide the prestressed component engageable with the recesses in the spacing component of claim 14. The Hooven patent appears to have steps and not the recesses, as claimed.

Relative to claim 15, apparently the Hooven spring d is relied upon. However, such spring does not have a coupling to the lowest side of headrest E as required in claim 15.

Relative to claim 17, apparently the Hooven slide C is apparently relied upon for the recited seating component. However, that seating component is detachably coupled to casing A (apparently relied upon for the longitudinal guide) and not to the headrest E.

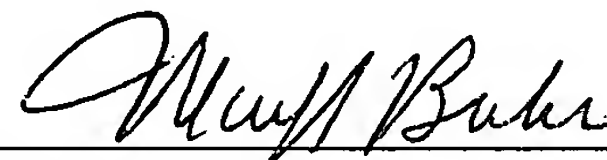
Relative to the guide component having a recess receiving the energy accumulator, apparently, the Hooven slide D is relied upon. However, the Hooven side D does not have a recess which receives either spring d.

U.S. Patent No. 6,123,389 to O'Connor and U.S. Patent No. 6,250,716 to Clough apparently relied upon relative to the claim 19 base component and side components. However, these two secondary references do not appear to have the claimed locking mechanisms recited in claim 19. Additionally, neither the secondary patents nor the Hooven patent have the catch mechanism for the side components of claim 20, the laminar molded components of claim 22, or the central recess of claim 22.

Relative to the light fixture of claim 25, apparently U.S. Patent No. 6,126,233 to Gaetano is cited. However, the Gaetano patent relates to a non-analogous child safety seat and not to a moveable headrest, such that it would not be obvious to make the proposed modification.

In view of the foregoing claims 12-25 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,



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